

STATE VS.: \_\_\_\_\_

(Defendant's name)

COMPLAINT NO.: \_\_\_\_\_

(This is located at top left corner of Complaint)

**AFFIDAVIT OF  
CIVIL TRAFFIC COMPROMISE**

STATE OF ARIZONA        )

) ss.

COUNTY OF PIMA        )

I, \_\_\_\_\_, , being first duly sworn, on oath, say as follows:  
(Victim's name)

1. I, \_\_\_\_\_, am a person who sustained damages and/or  
(Victim's name)

injuries as a result of the accident which gave rise to the **civil traffic charge of**

\_\_\_\_\_  
(Failure to Reduce/Control Speed, etc.)

against \_\_\_\_\_, the defendant,  
(Defendant's Name)

on \_\_\_\_\_.  
(Month/Day/Year)

2. I understand that I have a civil remedy for the injuries and/or damages sustained.

3. Check one of the following:

\_\_\_\_\_ a. I have been fully compensated by the defendant for my losses.

\_\_\_\_\_ b. I do not seek compensation.

4. I do not intend to appear in court to testify against the defendant and consent to a dismissal of the  
**civil traffic charge.**

\_\_\_\_\_  
(Victim's Signature)

*Parent or legal guardian must sign for a minor child.*

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

My commission Expires:

\_\_\_\_\_  
Notary Public

## **CIVIL TRAFFIC CITATION COMPROMISE INSTRUCTIONS**

### **WHAT IS A CIVIL TRAFFIC CITATION COMPROMISE?**

If you received a traffic citation for an accident, your citation can be dismissed by the court if the victim is willing to enter into a compromise with you. A compromise is a written agreement between you and the victim in which the victim agrees to recommend the citation be dismissed because you or your insurer have fully paid the victim's economic loss.

### **WHAT ARE THE BENEFITS OF ENTERING INTO A CIVIL COMPROMISE AGREEMENT?**

If the court dismisses your traffic citation pursuant to a compromise, there is no fine and no points appear on your Motor Vehicle Division driving record for the compromised charge.

### **INSTRUCTIONS FOR OBTAINING A CIVIL COMPROMISE DISMISSAL:**

1. Go to the Records Division of the Tucson Police Department (TPD) at 270 South Stone and purchase a copy of your accident report. The name of the driver and owner of the vehicle are listed on this report.
2. Pick up a civil traffic citation compromise affidavit form for the driver (victim) of the vehicle. **If the owner of the vehicle was not the driver involved in the accident, you will need an additional form to present to the owner.** These forms may be obtained at either the City Prosecutor's Office, at 103 East Alameda, Suite 501 or the Records Division of the Tucson Police Department.
3. Contact the victim or the victim's attorney, whichever is appropriate, to discuss whether the victim is interested in entering into a civil compromise agreement. The victim is not required to sign any agreement even if his or her damages have been satisfied. **The decision to do so is strictly voluntary.**
4. Compensate the victim to the victim's satisfaction, either directly or through your insurance company.
5. Present the compromise form to the victim. Ask the victim to sign the form, if satisfied. The victim's signature must be notarized. A notary public is available at most banks. If the victim is under the age of 18, a parent or guardian must sign the affidavit.
5. Go to the City Prosecutor's Office, located at 103 East Alameda, Suite 501, prior to your hearing date. Take your traffic accident report and the signed and notarized compromise form(s). A clerk at the Prosecutor's Office will review the paperwork, and if complete, will stamp the compromise form with a date stamp and a stamp showing approval of the dismissal by the Prosecutor's Office. Next, take the compromise form to the Public Services Office of Tucson City Court (first floor of the Alameda Court's Building, 103 East Alameda), and take a number. A clerk will then enter the dismissal into the court's record and release you from any further obligation. The dismissal will also vacate any scheduled hearing.